

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>D.H., a minor, by her next friends</b>	<b>)</b>	
<b>A.H., mother, and E.H., father,</b>	<b>)</b>	
	<b>)</b>	
<b>Plaintiff,</b>	<b>)</b>	
	<b>)</b>	
<b>v.</b>	<b>)</b>	<b>NO. 3:22-cv-00570</b>
	<b>)</b>	
<b>WILLIAMSON COUNTY BOARD OF</b>	<b>)</b>	<b>JUDGE CAMPBELL</b>
<b>EDUCATION; JASON GOLDEN, in his</b>	<b>)</b>	<b>MAGISTRATE JUDGE FRENSLEY</b>
<b>official capacity as Director of The</b>	<b>)</b>	
<b>Williamson County Schools; TENNESSEE</b>	<b>)</b>	
<b>DEPARTMENT OF EDUCATION; and</b>	<b>)</b>	
<b>PENNY SCHWINN, in her official capacity</b>	<b>)</b>	
<b>as Commissioner of the Tennessee</b>	<b>)</b>	
<b>Department of Education,</b>	<b>)</b>	
	<b>)</b>	
<b>Defendants.</b>	<b>)</b>	
	<b>)</b>	

**STIPULATION AND [PROPOSED] ORDER REGARDING MOTION TO DISMISS**  
**BRIEFING SCHEDULE**

Plaintiff D.H., a minor, by her next friends A.H., mother, and E.H., father, Defendants Williamson County Board of Education and Jason Golden, in his official capacity as Director of the Williamson County Schools (the “County Defendants”), and Defendants Tennessee Department of Education and Penny Schwinn, in her official capacity as Commissioner of the Tennessee Department of Education (the “State Defendants” and together with Plaintiff and County Defendants, the “Parties”), by and through their attorneys of record, hereby stipulate and agree, and respectfully request that the Court enter an Order, as follows:

WHEREAS, on October 25, 2022 the County Defendants and the State Defendants filed motions to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) that raise a number of overlapping but complex questions of law (Dkt. Nos. 46 and 48) (the “Motions to Dismiss”);

WHEREAS, pursuant to Local Rule 7.01(a)(3), Plaintiff's responses to the Motions to Dismiss would be due on or before November 8, 2022;

WHEREAS, pursuant to Local Rule 7.01(a)(4), any reply(ies) in further support of the Motions to Dismiss would be due on or before November 15, 2022;

WHEREAS, to adequately address the issues raised in the Motions to Dismiss, and in light of the upcoming Thanksgiving holiday, the Parties believe that an extension of time is warranted;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, that:

1. Plaintiff shall file a single brief of 35 pages in response to the Motions to Dismiss on or before November 22, 2022.
2. The Defendants shall file their replies on or before December 13, 2022.

It is so **ORDERED**.

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JEFFERY S. FRENSLEY  
United States Magistrate Judge

APPROVED FOR ENTRY:

*[Signatures on the following page]*

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